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AZ CORP COMMISSION

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BEFORE THE ARIZONA CORPORATION COMMISSION

JIM IRVIN,
Chairman

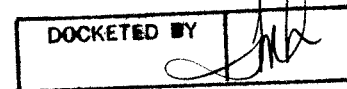
Arizona Corporation Commission

DOCKETED

MAY 26 1998

RENZ D. JENNINGS,
Commissioner

CARL J. KUNASEK,
Commissioner



IN THE MATTER OF U S WEST
COMMUNICATIONS, INC.'S
COMPLIANCE WITH §271 OF THE
TELECOMMUNICATIONS ACT OF
1996

Docket #U-0000-97-238

COMMENTS OF MCIMETRO
ACCESS TRANSMISSION
SERVICES, INC. ON
U S WEST COMMUNICATIONS,
INC.'S PARTIAL APPLICATION
FOR THE STATE OF ARIZONA

**I. MCI METRO ACCESS TRANSMISSION SERVICES ("MCI's")
RESPONSE TO U S WEST COMMUNICATION INC.'S ("U S WEST'S")
PARTIAL 271 FILING**

U S WEST has elected to file a partial application with the Arizona Corporation Commission (the "Commission") asserting that it has met only five of the fourteen 271 checklist items. MCI objects to U S WEST's partial filing because a partial application is problematic and inherently defective. In many instances one item on the checklist must be analyzed in the context of another checklist item. For example, U S WEST states in Leila Gibson's affidavit that U S WEST provides access to 911 and E911 services as part of unbundled local switching and resale. Even though Ms. Gibson asserts that U S WEST provides 911 and E911 via unbundled local switching, her testimony fails to include any specific discussion of unbundled local switching, which is also a 271 checklist item.

1 U S WEST's failure to provide any information on unbundled local switching
2 provides an example where checklist items must be addressed in conjunction with each
3 other and cannot be viewed in isolation. With U S WEST's partial filing, the Commission
4 must review the five checklist items U S WEST has included in its initial application. The
5 Commission must then reanalyze these checklist items when, or if, U S West files a
6 subsequent 271 application. Depending on how many partial filings U S WEST intends to
7 make, the Commission may be required to review, and re-review, U S WEST's Arizona
8 271 application several times before the Commission can make a final determination.
9 MCI also agrees with AT&T's objection found in Kenneth Wilson's comments that a set of
10 unbundled network elements should not be evaluated without analyzing the Operational
11 Support Systems ("OSS") needed to provision such elements.

12
13 **II. MCI's RESPONSE TO THE ISSUE OF U S WEST COMPLIANCE WITH
THE FIVE CHECKLIST ITEMS INCLUDED IN ITS PARTIAL FILING**

14 **A. Checklist Item 7 - 911 and E911 Services, Directory Assistance, and Operator
15 Services**

16 **911 and E911 Services**

17 Under Section 271 of the Telecommunications Act of 1996 ("the Act"), U S
18 WEST must provide nondiscriminatory access to 911 and E911 services. In Ameritech's
19 Michigan Section 271 Order, the FCC found that Bell Operating Companies must
20 maintain the E911 database entries for Competitive Local Exchange Carriers ("CLECs")
21 with the same accuracy and reliability that it maintains the database for its own customers.
22 U S WEST states in the testimony of Mary Pavlik that "[a]n edit function in the service
23 order process gives U S WEST the ability to determine errors and to check the accuracy of
24 the customer record data." U S WEST's description of how the process is intended to
25 work, without the benefit of actual statistical data, is insufficient to show that U S WEST
26 is maintaining the E911 database in a proper and nondiscriminatory manner.

1 U S WEST states it is providing 911 and E911 through unbundled local
2 switching and resale, but as mentioned above, U S WEST offers no specific information to
3 establish that U S WEST is indeed providing unbundled local switching. U S WEST has
4 clearly not met its obligation to provide unbundled local switching in Arizona, or
5 anywhere in U S WEST's fourteen state region. MCI presented its initial request for an
6 unbundled switching trial to U S WEST on August 22, 1997. Approximately nine months
7 later, U S WEST has yet to provide a basic product description which includes the
8 processes, procedures, and specific pricing necessary for MCI to order unbundled
9 switching with customized routing from U S WEST.

10 For purposes of the unbundled switching trial, MCI identified a specific end-office
11 in Phoenix, Arizona. Although MCI's initial request attempted to include all information
12 necessary for U S WEST to process MCI's order, MCI acknowledged that requisite
13 information could be missing from its request, since U S WEST has not yet established an
14 ordering process. MCI asked U S WEST to identify the missing information. To date,
15 U S WEST has not indicated what information is missing from MCI's original request for
16 unbundled switching nor has U S WEST established a formalized ordering process.

17 U S WEST has failed to meet its obligation to provide unbundled switching since
18 U S WEST has put MCI, as well as other competitive providers, in the position of
19 guessing how to place an order for unbundled switching with customized routing. This
20 type of guesswork is not what Congress had in mind when enacting the competitive
21 checklist.

22 As part of Kenneth Wilson's affidavit, AT&T raises its concern over U S WEST's
23 use of the Single Point of Termination or "SPOT" frame in conjunction with U S WEST's
24 offering of 911 and E911. MCI would agree that U S WEST's requirement that CLECs
25 must use the SPOT frame is inefficient and discriminatory in nature. MCI would point to
26 the Iowa Utilities Board's May 15, 1998 decision, *Final Arbitration Decision on Remand*,

1 *Order Denying Motion to File Rebuttal Testimony, Granting Motion to Strike, and*
2 *Denying Motion for Sanction.* In this decision, the Iowa Board rejected U S WEST's
3 SPOT frame proposal to allow competitors to combine elements "because that approach is
4 inefficient, expensive, inconsistent with network security, and provides discriminatory
5 access to UNEs."

6 **Directory Assistance**

7
8 Section 271(c)(2)(B)(vii) of the Act requires that U S WEST provide
9 directory assistance ("DA") services to allow MCI's customers to obtain telephone
10 numbers.

11 U S WEST states on page four of Mary Pavlik's testimony that a CLEC may build
12 its own listing database through the purchase of listings from either U S WEST or another
13 third party. U S WEST's statement ignores the provision in the U S West-MCI Arizona
14 Interconnection Agreement that requires U S WEST to provide unbundled access to its
15 DA database, not third parties. The Arizona Agreement at Part A, Section 50.5.1 states
16 "U S WEST shall provide unbundled and non-discriminatory access to the residential,
17 business and government Customer records used by U S WEST to create and maintain
18 databases for the provision of live or automated operator assisted Directory Assistance."

19 An issue that is of particular concern to MCI in regards to directory assistance is the
20 fact that U S WEST continues to refuse to provide directory assistance data for
21 independent LECs in its region. U S WEST cannot be said to have provided
22 nondiscriminatory access to directory assistance services as required by Section 271
23 services without providing MCI access to all information in its directory assistance
24 database, which includes the directory assistance data for other LECs within its region.
25 U S WEST's refusal to provide directory assistance data for all LECs within it region is
26 addressed in more detail in MCI's discussion of access to databases below.

C. Checklist Item 9 - Numbering Administration

U S WEST has not sufficiently established its compliance with Section 271 (c) (2)(B)(ix) which requires that U S WEST provide nondiscriminatory access to telephone numbers for assignment to the other carrier's telephone exchange customers.

U S WEST superficially claims it has met its obligations under Section 271 regarding number administration by asserting it has loaded seventeen NXX codes for new local exchange providers and has not refused to load any NXX assignment requests. What U S WEST fails to disclose is that U S WEST has failed to properly load the new NXXs assigned to CLECs into U S WEST switches.

MCI has experienced instances where U S WEST failed to properly load NXXs, even after MCI specifically requested U S WEST to audit and confirm to MCI that the NXXs had been loaded in the U S WEST network. A copy of the letter to U S WEST requesting U S WEST to properly load MCI's NXXs and U S WEST's response is attached as Exhibit A. In one particular instance, U S WEST's failure to load a particular NXX prevented MCI customers from receiving calls from certain exchanges and there was unacceptable delay on U S WEST's part to correct the problem. A letter describing the specifics of this instance is attached as Exhibit B.

Before the Commission can find that U S WEST has met this checklist item, U S WEST must establish that it has implemented a system for properly updating its switches with newly assigned NXXs.

Number Portability

A checklist item that is related to numbering administration is number portability.

1 U S WEST failed to include number portability in its partial 271 application with
2 the Commission. MCI suspects that this omission is due to U S WEST's realization that it
3 has yet to properly implement interim number portability.

4 MCI and MCI's customers have experienced numerous problems as a result of U S
5 WEST's failure to properly implement interim number portability. U S WEST has failed
6 to meet the cutover time frame set forth in the Arizona interconnection agreement. U S
7 WEST has consistently failed to initiate customer cutovers at the time U S WEST has
8 designated on the Firm Order Confirmation provided to MCI. U S WEST's failure to
9 properly implement number portability has left MCI customers without service for
10 unacceptable periods of time.

11 MCI has documented examples of U S WEST's failure to properly implement
12 interim number portability in letters to U S WEST. A copy of the letter addressing MCI
13 customers in Arizona and US West's response, are attached as Exhibit C. The customer
14 examples contained in the letters clearly demonstrate that U S WEST has failed to meet its
15 requirements under Section 271 regarding interim number portability.

16 **D. Checklist Item 10 - Unbundled Signaling and Databases**

17 Section 271(c)(2)(B)(x) of the Act requires U S WEST to provide
18 "nondiscriminatory access to databases and associated signaling." The FCC has concluded
19 that call-related databases are separate network elements to which incumbent LECs, upon
20 request, must provide nondiscriminatory access on an unbundled basis. The FCC has also
21 determined in its *Local Competition Second Report and Order* that competing carriers
22 must have access to all the information in the Bell Operating Company's directory
23 assistance database. U S WEST's Arizona interconnection agreement with MCI at Part A,
24 Section 50.5.1, also provides that U S WEST must provide unbundled and non-
25 discriminatory access to customer records used by U S WEST to create its DA database.
26

1 U S WEST has refused to provide access to the DA data of independent
2 LECs in U S WEST's territory. U S WEST's refusal is evidenced in a memorandum dated
3 May 5, 1998, a copy of which is attached. In the memorandum, U S WEST states it will
4 only provide DA lists for LECs with which U S WEST has specific agreements that allow
5 U S WEST to share their listings. For the other the independent LECs, U S WEST will not
6 provide DA listings to MCI. MCI must approach those companies directly to obtain their
7 DA data.

8 U S WEST has also rejected MCI's request for DA data for other LECs, including
9 CLECs, in U S WEST's territory during the process of negotiating a "Mutual Exchange
10 Agreement for Directory Assistance Listings." U S WEST's version of this agreement
11 specifically disallows MCI access to DA list information contained in its database
12 pertaining to subscribers of other LECs, including CLECs, in U S WEST's region.
13 Although the Agreement is to be applied only in states that are not subject to arbitration, U
14 S WEST has proposed to amend all the effective interconnection agreements with MCI to
15 include this same limitation. If the interconnection agreements were amended to include
16 this limitation, U S WEST will not provide any DA listing information for any other LECs,
17 including CLECs, in its region, unless U S West was authorized by a specific agreement to
18 share its DA listings.

19 As the incumbent provider, U S WEST already has access to this DA data. It would
20 be discriminatory and unreasonably burdensome to require MCI to obtain from each
21 independent LEC the same DA data that is currently accessible to U S WEST. MCI is
22 competitively disadvantaged because it is not on the same terms and conditions as U S
23 WEST. The FCC recognized the advantage an incumbent LEC may have over other
24 competitive providers by stating in the Bell South Forbearance proceeding, Docket
25 Number 96-149, Paragraph 81, "...We agree with MCI that BellSouth obtained directory
26

1 listings from other LECs for use in its directory assistance services solely because of its
2 dominant position in the provision of local exchange services throughout its region."

3 U S WEST has not met the requirements of Section 271(c)(2)(B)(x) addressing
4 nondiscriminatory access to databases. In order to be compliant with this checklist item,
5 U S WEST must provide CLECs access to the same data contained in its directory
6 assistance database to which U S WEST has access. Nondiscriminatory access would
7 include DA data of independent LECs in U S WEST's territory.

8 Respectfully submitted this 26th day of May, 1998.

9 LEWIS AND ROCA

10 

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13 Phoenix, Arizona 85004

14 - AND -

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20 Attorneys for MCI Telecommunications
21 Corporation and MCI metro Access
22 Transmission Services, Inc.

23 ORIGINAL and TEN
24 copies of the foregoing
25 filed this 26th day of May,
26 1998, at:

Arizona Corporation Commission
Utilities Division – Docket Control
1200 W. Washington Street
Phoenix, Arizona 85007

COPY of the foregoing mailed
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A

MCI

April 25, 1997

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hand delivered copy
to k. Galitz
CORP
4-28-97
IMP

Re: Intercompany Network Routing Issues

Dear Keith,

As you know, for years the industry has used the Local Exchange Routing Guide (LERG), published by Bellcore, as the source of obtaining the latest routing information on new NXXs codes. This routing data must be loaded in your switches so that MCImetro can serve ITC customers at parity with U S WEST as required in the Telecommunications Act of 1996.

It has come to our attention that MCImetro (MCIIm) customers in your territory may not be receiving all calls from non-MCIIm callers as they should be.

Accordingly I am requesting your assistance to ensure that U S WEST is taking all necessary actions, to ensure that existing MCImetro NXXs are properly loaded in your network (see attached list).

Specifically I am requesting that U S WEST

- Audit all end offices and confirm that these NXXs have been properly loaded.
- Provide confirmation that your internal processes ensure that the most recent LERG updates pertaining to MCIIm NXXs will be completed prior to LERG activation dates.
- Contact me at (303) 291-6515 or Leilani Hines at (303) 291-6375 immediately if customer affecting problems occur.

Please note that we are bringing this issue to the attention of other LECs and are asking them to address this issue for their respective companies.

Please feel free to contact me to discuss these issues further or to explore solutions you may have used with other carriers. I look forward to hearing from you on this issue by May 1, 1997. For your convenience we have included the MCIIm NXXs currently active or expected to be active in your region.

Sincerely,



William M. Pitcher
Sr. Negotiations Manager

Enclosures

USWC

MCI METRO NPA/NXX LISTINGS

CITY	NPA	NXX	SWTCH CLLI	RATE CENTER	LOCALITY	EFFEC DTE
DENVER	303	212	DWVRC037DS0	BAILEY	BAILEY	1-Nov-96
	303	222	DWVRC037DS0	BROOMFIELD	BROOMFIELD	1-Nov-96
	303	328	DWVRC037DS0	LONGMONT	LONGMONT	1-Nov-96
	303	334	DWVRC037DS0	DENVER	DENVER	9-May-97
	303	531	DWVRC037DS0	DENVERSWST	DENVERSWST	1-Nov-96
	303	542	DWVRC037DS0	DENVER	DENVER	10-Apr-97
	303	578	DWVRC037DS0	EVERGREEN	EVERGREEN	1-Nov-96
	303	596	DWVRC037DS0	FORTLUPTON	FORTLUPTON	1-Nov-96
	303	815	DWVRC037DS0	FREDERICK	FREDERICK	1-Nov-96
	303	835	DWVRC037DS0	ERIE	ERIE	1-Nov-96
	303	847	DWVRC037DS0	HUDSON	HUDSON	1-Nov-96
	303	862	DWVRC037DS0	IDAHO SPG	IDAHO SPG	1-Nov-96
MINNEAPOLIS	612	208	MPLSMHMSDS1	PARKER	PARKER	1-Nov-96
	612	212	MPLSMHMSDS1	DELAND	DELAND	26-Aug-96
	612	216	MPLSMHMSDS1	MAPLEPLAIN	MAPLEPLAIN	26-Aug-96
	612	217	MPLSMHMSDS1	MOUND	MOUND	26-Aug-96
	612	233	MPLSMHMSDS1	SCANDIMRIN	SCANDIMRIN	26-Aug-96
	612	234	MPLSMHMSDS1	TWNCITIES	MAPLEWOOD	25-Mar-97
	612	236	MPLSMHMSDS1	TWNCITIES	WST PAUL	25-Mar-97
	612	237	MPLSMHMSDS1	TWNCITIES	RICE	25-Mar-97
	612	249	MPLSMHMSDS1	TWNCITIES	RICHFIELD	25-Mar-97
	612	260	MPLSMHMSDS1	COLOGNE	COLOGNE	25-Mar-97
	612	273	MPLSMHMSDS1	CHASKA	CHASKA	14-Apr-97
	612	279	MPLSMHMSDS1	OSSEO	OSSEO	14-Apr-97
	612	284	MPLSMHMSDS1	ST MICHAEL	ST MICHAEL	25-Mar-97
	612	312	MPLSMHMSDS1	WACONIA	WACONIA	14-Apr-97
	612	354	MPLSMHMSDS1	ROGERS	ROGERS	25-Mar-97
	612	355	MPLSMHMSDS1	STROHFELT	STROHFELT	14-Apr-97
	612	358	MPLSMHMSDS1	TWNCITIES	FTSHELLING	28-Aug-96
	612	402	MPLSMHMSDS1	TWNCITIES	BLAINE	25-Mar-97
	612	408	MPLSMHMSDS1	TWNCITIES	CEDAR	25-Mar-97
	612	503	MPLSMHMSDS1	WATERTOWN	BURNSVILLE	25-Mar-97
	612	505	MPLSMHMSDS1	WYOMING	WATERTOWN	25-Mar-97
	612	515	MPLSMHMSDS1	IASTINGS	WYOMING	26-Aug-96
	612	517	MPLSMHMSDS1	ELK RIVER	IASTINGS	26-Aug-96
	612	562	MPLSMHMSDS1	FORESTLAKE	ELK RIVER	26-Aug-96
	612	563	MPLSMHMSDS1	IANOVER	FORESTLAKE	26-Aug-96
	612	564	MPLSMHMSDS1	TWNCITIES	IANOVER	26-Aug-96
	612	567	MPLSMHMSDS1	TWNCITIES	EDENPRARI	26-Aug-96
	612	568	MPLSMHMSDS1	TWNCITIES	IOPKINS	25-Mar-97
	612	607	MPLSMHMSDS1	TWNCITIES	EDINA	25-Mar-97
	612	614	MPLSMHMSDS1	TWNCITIES	GOLDEN VLY	25-Mar-97
	612	615	MPLSMHMSDS1	ANNPOLSZNI	BROOKLYCTR	25-Mar-97
	612	691	MPLSMHMSDS1	ROCKFORD	MNHPOLSZNI	26-Aug-96
	612			TWNCITIES	ROCKFORD	26-Aug-96
	612			STCROIXBCII	SODERVILLE	26-Aug-96
	612				STCROIXBCII	26-Aug-96

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USWC

MCI METRO NPA/NXX LISTINGS

4/25/97
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CITY	NPA	NXX	SWTCH CLLI	RATE CENTER	LOCALITY	EFFECTIVE DATE
PHOENIX	612	705	MLSLMWSDS1	STILLWATER	STILLWATER	28-Aug-96
	612	981	MLSLMWSDS1	VICTORIA	VICTORIA	14-Apr-97
	520	548	PHNXAZ12DS0	MARICOPA	MARICOPA	30-Nov-96
	602	281	PHNXAZ12DS0	PHOENIX	FTMCDOVELL	30-Nov-96
	602	282	PHNXAZ12DS0	PHOENIX	PHOENIX	30-Nov-96
	602	363	PHNXAZ12DS0	PHOENIX	CVCRCARFR	30-Apr-97
	602	384	PHNXAZ12DS0	PHOENIX	PARADISVLY	30-Nov-96
	602	427	PHNXAZ12DS0	PHOENIX	AGUA FRIA	15-Apr-97
	602	458	PHNXAZ12DS0	PHOENIX	SPSTMAHJC	30-Nov-96
	602	459	PHNXAZ12DS0	PHOENIX	TEMPE	30-Nov-96
	602	466	PHNXAZ12DS0	PHOENIX	DEERVALLEY	30-Nov-96
	602	476	PHNXAZ12DS0	PHOENIX	UTCHFLDPK	30-Nov-96
	602	477	PHNXAZ12DS0	PHOENIX	MESA	30-Nov-96
	602	518	PHNXAZ12DS0	PHOENIX	GLENDAL	30-Nov-96
PORTLAND	360	223	PILDORWDS0	WOODLAND	WOODLAND	18-Nov-96
	360	655	PILDORWDS0	BATTLEGRND	BATTLEGRND	18-Nov-96
	360	713	PILDORWDS0	VANCOUVER	VANCOUVER	18-Nov-96
	360	818	PILDORWDS0	CAMAS	CAMAS	18-Nov-96
	503	290	PILDORWDS0	PORTLAND	PORTLAND	30-Dec-96
	206	332	STTLWAWBDS0	SILVERLAKE	SILVERLAKE	6-Dec-96
	206	494	STTLWAWBDS0	SEATTLE	SEATTLE	15-Apr-97
	206	607	STTLWAWBDS0	STTL ADAMS	STTL ADAMS	15-Sep-95
	206	701	STTLWAWBDS0	STTL NORTH	STTL NORTH	15-Sep-95
	253	414	STTLWAWBDS0	STTL SOUTH	STTL SOUTH	15-Sep-95
SEATTLE	253	429	STTLWAWBDS0	TACOMA	TACOMA	27-Apr-97
	253	518	STTLWAWBDS0	DES MOINES	DES MOINES	27-Apr-97
	253	561	STTLWAWBDS0	KENT	KENT	27-Apr-97
	360	390	STTLWAWBDS0	AUBURN	AUBURN	27-Apr-97
	360	536	STTLWAWBDS0	POULSBO	POULSBO	27-Apr-97
	360	613	STTLWAWBDS0	SILVERDALE	SILVERDALE	6-Dec-96
	360	890	STTLWAWBDS0	BREMERTON	BREMERTON	6-Dec-96
	425	201	STTLWAWBDS0	PORT ORCH	PORT ORCH	6-Dec-96
	425	202	STTLWAWBDS0	BELLEVUE	BELLEVUE	6-Dec-96
	425	245	STTLWAWBDS0	KIRKLAND	KIRKLAND	27-Apr-97
	425	249	STTLWAWBDS0	HALLS LAKE	HALLS LAKE	27-Apr-97
	425	332	STTLWAWBDS0	EVERETT	EVERETT	27-Apr-97
	425	492	STTLWAWBDS0	SILVERLAKE	SILVERLAKE	27-Apr-97
	425	507	STTLWAWBDS0	BOTHIELL	BOTHIELL	27-Apr-97
				ISSAQUAH	ISSAQUAH	27-Apr-97

SEATTLE

206	201	STTLWAWBDS0	BELLEVUE	BELLEVUE	15-Sep-95
206	202	STTLWAWBDS0	KIRKLAND	KIRKLAND	15-Sep-95
206	245	STTLWAWBDS0	HALLS LAKE	HALLS LAKE	15-Sep-95
206	249	STTLWAWBDS0	EVERETT	EVERETT	30-Mar-98
206	319	STTLWAWBDS0	BAKBDG IS	BAKBDG IS	15-Sep-95
206	406	STTLWAWBDS0	VASHON	VASHON	15-Sep-95

4/25/97
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MCI METRO NPA/NXX LISTINGS

USWC

CITY	NPA	NXX	SWITCH CLLI	RATE CENTER	LOCALITY	EFFECT DTE
	206	414	STTLWAWBDS0	TACOMA	TACOMA	15-Aug-96
	206	429	STTLWAWBDS0	DES MOINES	DES MOINES	15-Sep-95
	206	492	STTLWAWBDS0	BOTHELL	BOTHELL	15-Sep-95
	206	507	STTLWAWBDS0	ISSAQUAH	ISSAQUAH	15-Sep-95
	206	518	STTLWAWBDS0	KENT	KENT	15-Sep-95
	206	561	STTLWAWBDS0	AUBURN	AUBURN	15-Sep-95
	206	578	STTLWAWBDS0	MAPLE VLY	MAPLE VLY	15-Sep-95
	206	777	STTLWAWBDS0	SEATTLE	SEATTLE	15-Sep-95
	206	801	STTLWAWBDS0	RICHMONDBCH	RICHMONDBCH	15-Sep-95
	206	873	STTLWAWBDS0	RENTON	RENTON	15-Sep-95

U S WEST Communications
1801 California Street Suite 2420
Denver, CO 80202
Phone 303 896-9366
Cellular 303 550-5566
FAX 303 965-9301
E-Mail kgalitz@uswest.com

Keith Galitz
General Manager -
Western Region
Wholesale Local Markets

USWEST

May 13, 1997

Via Fax 303-291-6242

received
5-14-97

Mr. William M. Pitcher
MCI Telecommunications, Inc.
707 - 17th Street, Suite 4200
Denver, CO 80202

Re: Intercompany Network Routing Issues

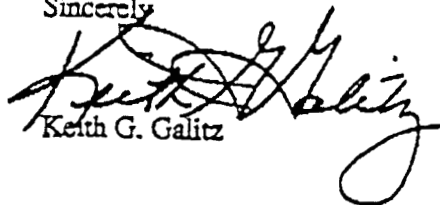
Dear Chip,

I am in receipt of your letter of April 25, 1997 regarding the above subject.

USWC is not aware of any current problems with the routing of any of MCImetro's traffic. While there may have been some issues in the past that may have been the result of errors on the part of both MCI and USWC, all of those prior issues have been resolved and I understand that MCI is now correctly submitting activity to the LERG.

If MCImetro is aware of any specific problems, please notify us immediately, or if you wish us to review a specific NXX issue, please let me know. However, since we are not aware of any existing problems, we will not undertake a complete audit of all of the NXXs currently loaded for MCI.

Sincerely,


Keith G. Galitz

KGG:dle
pitcher 6

cc: Bill Stewart
Kathrine Hammer
Jasmin Espy

B

**MCI****MCI Telecommunications
Corporation**707 17th Street
Suite 4200
Denver, CO 80202

25 July 1997

VIA FACSIMILE AND U.S. MAIL

Clarence E. Osborn
Vice President - Diversified Carrier Markets
US WEST Communications, Inc.
1801 California, Suite 2110
Denver, CO 80202

Re: NXX loading

Dear Clarence:

On July 20, 1997, an MCImetro customer in Denver reported that they could not receive calls from their employees' family members located in certain NXXs. This customer, who has the entire 334 NXX assigned to it, reported that it could not receive calls from the following exchanges: 690, 680, 452, 972 and 683. This issue was reported that afternoon to US WEST. With the exception of the 972 exchange which has taken longer, the problem was not resolved until late in the evening on July 22. This despite the fact that US WEST personnel identified the problem as resting in a US WEST central office on the 21st. MCI was provided with trouble ticket number DC174228.

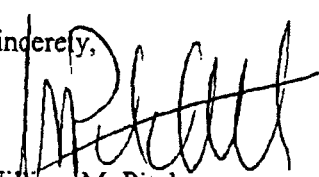
What is especially frustrating about this incident is that the NXX in question was specifically listed in my letter to Keith Galitz on April 25, 1997, in which MCI requested that US WEST conduct an audit and confirm that the NXXs had been properly loaded. Mr. Galitz' response of May 13, 1997, was that since you were not aware of a specific NXX problem, US WEST would take no further action. Copies of both letters are attached.

As the incumbent local exchange carrier, US WEST is under a duty to maintain its network so that calls originating on its network can be properly terminated on the networks of alternate carriers. In this instance, US WEST failed to meet that obligation. US WEST's inaction has had a negative impact on MCI's relationship with its customer and on its business reputation during a critical moment in the newly opened Denver market.

In light of this incident, MCI again requests that US WEST conduct an audit of its network to insure that all NXX codes have been properly loaded, not only in Colorado, but in Minnesota, Oregon, Washington and Arizona. When the trouble was first reported to US WEST at approximately 3:30 p.m., MCI was told that the problem would be corrected by 8 p.m. on July 21, more than 24 hours after the problem first surfaced. MCI believes that such a delay is unacceptable and requests that you identify a single point of contact, available around the clock, to resolve similar issues if they arise.

Your response to this letter by 3 p.m. on Wednesday, July 30, is appreciated.

Sincerely,



William M. Pitcher

cc: Dale Tucker
Bruce Smith, Executive Director
Colorado Public Utilities Commission
Thor Nelson, Colorado Consumer Counsel
September L. Meade
✓ Keith Galitz

C



**MCI Telecommunications
Corporation**

707 17th Street
Suite 4200
Denver, CO 80202
303 390 6274

Dale P. Tucker, Esq.
Senior Manager, Carrier Agreements
West Region

237

47

November 10, 1997

By Facsimile and United States mail

Kathy Fleming
Executive Director Interconnect Services
US WEST Communications, Inc.
1801 California, 23rd Floor
Denver, CO 80202

Re: U S WEST failure to provision Interim Local Number Portability Services
in Arizona

Dear Ms. Fleming:

Local Number Portability is a crucial component of MCImetro's plan to provide competitive local exchange services to Arizona consumers. This letter is to bring to your attention the failure of U S WEST to properly implement Interim Local Number Portability ("ILNP") for a number of MCImetro subscribers in Arizona.

The following examples are not a complete catalog of U S WEST's failures in providing ILNP but are representative of the poor quality of service that U S WEST provides to MCImetro and its subscribers. In each case, U S WEST has established the time and date for implementation of ILNP. All too often, however, U S WEST misses the time that it established, takes an excessive amount of time to implement the cutover or fails to resolve outstanding issues promptly, leaving consumers with impaired service.

Examples:

1. Sierra Sonora – This MCImetro subscriber operates a chain of pizza delivery outlets. MCImetro had requested that U S WEST implement ILNP on Friday, Oct. 10, 1997. MCImetro received no response to that request and the cutover did not take place on the 10th. At approximately 5:00 p.m. on the 10th, half an hour after MCImetro closed its office for the weekend, U S WEST provided a Firm Order Commitment for 5 a.m. on Monday, Oct. 13th. When MCImetro personnel discovered the FOC on Saturday, Oct. 11th, they called U S WEST to cancel the order because the cutover could not be communicated to the customer or its equipment vendors in time. U S WEST told MCImetro that it was impossible to cancel the order on the weekend and to call back

on Monday after 8 a.m. At approximately 7:00 a.m. on Monday, Oct. 13th, the subscriber reported that their phone service had been disconnected. MCI metro personnel began to escalate the outage with U S WEST. It was not until approximately 2 p.m. that afternoon that service was restored.

2. Domino's franchise – This MCI metro subscriber is located in Litchfield, Arizona. MCI metro canceled the subscriber's original cutover on Oct. 24th. U S WEST provided a confirmation for the cancellation on Oct. 27th. Inexplicably, U S WEST nonetheless disconnected the customer's service between 5 and 7 a.m. on Oct. 30th. Service was not restored until approximately 2:30 p.m. [See orders C14939678 and C14939643].
3. Domino's franchise – This MCI metro subscriber is located in Phoenix and has been receiving ILNP for the past few months. At 8:41 p.m. on Nov. 3, MCI metro opened a trouble ticket with U S WEST after the subscriber's callers reported receiving "Can't Complete as Dialed" recordings when dialing 602-931-3100. This is the US West number which the customer ordered to be call forwarded to the MCI number 602-518-3100. At approximately 9:05 a.m. on Nov. 4, MCI tested 602-931-3100 and received a recording that the number has been changed to 602-518-3100. Because the service was not ordered with message referral by MCI metro or the customer, the issue was referred back to U S WEST which responded that it could not change the configuration without a new order. At 7:35 p.m. on Nov. 4, U S WEST reported that the problem had been fixed. The customer was without service for more than 24 hours.
4. Yee Desmond Shroeder – The MCI metro subscriber operates a stock brokerage business. U S WEST provided a FOC to implement ILNP at 2 p.m. on Oct. 27th. The customer selected this time to coincide with the closing of the stock market. At approximately 8 a.m. on Oct. 28th, a day in which the stock market experienced unprecedented volume and volatility, the customer reported that U S WEST reduced their phone service to a single line. MCI metro escalated this to U S WEST personnel who reported that although MCI metro had ordered 15 paths, U S WEST installed only one. The customer experienced impaired phone service through that volatile day until approximately 2:30 p.m. at which time U S WEST reported the problem was caused by "human error". [See orders D11825630 and C11825631].
5. Oiland Safety – U S WEST provided an FOC to implement ILNP at 5 a.m. on Monday, Nov. 3rd. On the 3rd U S WEST disconnected, but did not remote call forward the U S WEST numbers to the MCI metro numbers. The customer was without service from approximately 8 a.m. until 10 a.m. [See orders D11825427 and C41825428].

Kathy Fleming

11/10/97

Page 3

6. RCP dba Oasis - U S WEST provided a FOC to increase the number of call paths on an ILNP cutover that was to occur at 7 a.m. Friday, Oct. 31st. Forty-eight (48) of the customer's lines were down for the entire day of the 31st. Service was not restored until 1 p.m. on Monday, Nov. 3.

U S WEST's consistent pattern of failing to properly implement ILNP is a breach of the Arizona Interconnection Agreement. In particular, U S WEST is in violation of Part A, Section 42.3.2 ("The Parties shall cooperate in the process of porting numbers from one carrier to another so as to limit service outage for the ported subscriber"); Attachment 8, Section 3.2.2.5.3 ("End user service interruption shall not exceed 20 minutes during any cut-over. The average interruption caused by the cut-over of MCIIm customers shall not exceed ten (10) minutes. If any service interruption is to exceed twenty (20) minutes, however, U S WEST will immediately notify MCIIm of such delay").

Because U S WEST's actions are a material breach of the Agreement and have adversely impacted MCIImetro's subscribers. Pursuant to Section 32.1.2 of Part A requires that U S WEST cure this breach within ten (10) days, or by November 20, 1997.

Because the numbers being ported to new entrants reside in U S WEST's switches, there is little a new entrant or its customers can do but hope that U S WEST will properly implement ILNP when it promises to do so. When U S WEST fails to meet its obligations, the impact on MCIImetro and its subscribers can be severe, as demonstrated by the above examples.

This letter is sent in accordance with the notice provisions of Sections 29.1 and 32.1.2 of Part A of the Agreement. A copy of this letter, with the customer identifying information redacted, shall be provided to the executive director of the Corporation Commission.

Sincerely,

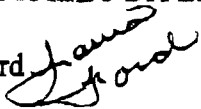


Dale P. Tucker

cc: Jack Rose, Executive Director Arizona Corporation Commission
U S WEST, Inc. Senior Counsel, Law Dept.
Michael A. Beach
Jasmin Espy

MEMO TO: Lynn Carson

RE: Provision of ILEC DA Lists to MCI

FROM: Laura Ford 

DATE: May 5, 1998

MCI has requested that U S WEST provide to it the DA Lists for all of the ILECs in our operating territory.

U S WEST has two different types of Agreements with the ILECs. One version allows us to share their Listings with other publishers and DA Providers. Others restrict our use of the Listings to U S WEST's directory and/or DA service. U S WEST has consistently taken the position that where we have no ownership or other right to grant the use of the property (real or intellectual), we cannot grant such a right. Where we have the right to grant MCI a license to use the ILEC listings, we will do so. Where we do not have that right, we have no legal authority to grant such a license to MCI. MCI can deal directly with those companies where U S WEST does not have the authority to grant the license.

MCI has raised this issue in the Comments that you filed in CC Docket No. 97-172, *In the Matter of Petition of U S WEST Communications, Inc. for a Declaratory Ruling Regarding the Provision of Nation Directory Assistance*. U S WEST has contested any obligation to provide the listings where it has no legal right to do so. I have a call into our D. C. office to try to determine when we think we might get a decision. When we receive the Order, we will evaluate our position in view of it.

Another option, is to proceed under the dispute resolution clauses in our current contracts and you may wish to mediate or arbitrate the issue in other states. By placing the issue before a mediator, arbitrator, or the state commissions, we would have an opportunity to receive input from the ILECs that are potentially impacted.

cc: Kathy Fleming
John Traylor
Terri Kilder
Stuart Miller
Dale Tucker